

EXHIBIT E

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Drew J. Ribar,
Plaintiff,

v.

State of Nevada ex rel. Nevada Department of Corrections, Carson City, et al.,
Defendants.

Case No. 3:24-cv-00103-ART-CLB

EXHIBIT E – Deputy Sean Palamar Towing Discussion Footage

**Filed in Support of Amended Complaint and Summary Judgment Motion (Fed. R. Civ. P.
56)**

Plaintiff Drew J. Ribar, pro se, submits Exhibit E, video footage of Deputy Sean Palamar ordering the non-consensual tow of Plaintiff's truck and discussing it with a tow truck driver on August 30, 2022, obtained via discovery in Case No. 22 CR 01231 IC (dismissed). Filed on USB per LR IC 2-2 with a Notice of Manual Filing, this exhibit supports Plaintiff's claims and Rule 56 motion.

Key Evidence and Legal Violations

PLEADING TITLE - 1

Timestamp	Incident	Legal Relevance	Cross-Reference
0:01:04–	Tow truck driver:	Violates Fourth Amendment seizure (<i>Soldal v.</i>	Exhibit D
0:01:10	“When the NTA finds out about	<i>Cook County</i> , 506 U.S. 56, 1992); Fourteenth	
	this, he will	Amendment due process (<i>Mathews v. Eldridge</i> ,	
	probably get his	424 U.S. 319, 1976; <i>Parratt v. Taylor</i> , 451 U.S.	
	license revoked.”	527, 1981); NRS 205.2715 (unlawful taking or	Exhibit C
	operation); tortious interference.		
	Demonstrates First Amendment retaliation		
0:01:20–	Deputy Palamar: “I	(<i>Fordyce v. Seattle</i> , 55 F.3d 436, 9th Cir. 1995;	
0:01:25	don’t know if our,	<i>Board of County Comm’rs v. Umbehr</i> , 518 U.S.	Exhibit C
	my bosses are	668, 1996; <i>Nieves v. Bartlett</i> , 139 S. Ct. 1715,	
	going to have	2019); Fourteenth Amendment economic liberty	
	much appetite	(<i>Meyer v. Nebraska</i> , 262 U.S. 390, 1923); <i>Monell</i>	
	keeping a guy.”	<i>v. Dep’t of Soc. Servs.</i> , 436 U.S. 658, 1978); NRS	Exhibit C
		197.200 (oppression); defamation/trade libel.	

Legal Claims Supported

- **First Amendment (42 U.S.C. § 1983):** Retaliation for recording by targeting Plaintiff’s towing rotation status (*Fordyce, Umbehr, Glik v. Cunniffe*, 655 F.3d 78 (1st Cir. 2011); *Irizarry v. Yehia*, 38 F.4th 1282 (10th Cir. 2022); *Nieves*; NRS 171.1233).

- 1 • **Fourth Amendment (42 U.S.C. § 1983):** Unlawful seizure of truck without warrant or
2 exigency (*Soldal*).
- 3 • **Fourteenth Amendment (42 U.S.C. § 1983):** Procedural due process violation via tow
4 and threats without notice (*Mathews, Parratt*); substantive due process via economic
5 harm (*Meyer, County of Sacramento v. Lewis*, 523 U.S. 833, 1998).
- 6 • **Municipal Liability (42 U.S.C. § 1983):** Sheriff's policy/custom of retaliation implied
7 by "my bosses" (0:01:20; *Monell*).
- 8 • **State Law Claims:** Unlawful taking or operation (NRS 205.2715), oppression under
9 color of law (NRS 197.200), intentional interference with prospective economic
10 advantage, defamation/trade libel (28 U.S.C. § 1367).
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14 **Summary Judgment Purpose (Fed. R. Civ. P. 56)**

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17 These undisputed facts—non-consensual tow (Exhibit D, 0:06:32.625), license revocation threat
18 (0:01:04), rotation termination threat (0:01:20)—violate clearly established law (*Fordyce, Soldal*,
19 *Mathews*). Linked to Plaintiff's recording (Exhibit C, 0:05:43–0:05:51), they demonstrate
20 retaliatory intent and agency policy (*Monell*), establishing no genuine dispute of material fact
21 and entitling Plaintiff to judgment as a matter of law.
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25 **Qualified Immunity Defeat**

1 Deputy Palamar's conduct contravenes clearly established rights under *Pearson v. Callahan*, 555
2 U.S. 223 (2009):

- 3
- 4 • **Violation:** Recording retaliation (*Fordyce, Glik, Irizarry, Nieves, Umbehr*), seizure
5 (*Soldal*), due process (*Mathews, Parratt*).
- 6
- 7 • **Clearly Established:** Rights were well-defined in 2022 (*Fordyce* 1995, *Soldal* 1992,
8 *Umbehr* 1996).
- 9

10 The tow (0:01:04) and threats (0:01:20) show objective unreasonableness (*Kingsley v.*
11 *Hendrickson*, 576 U.S. 389, 2015), not negligence. "Safety" or "need" defenses fail against
12 *Soldal*'s warrant requirement, *Mathews*'s notice mandate, and *Nieves*'s retaliation bar (*Harlow v.*
13 *Fitzgerald*, 457 U.S. 800, 1982).

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17 **Authentication**

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19 Per Fed. R. Evid. 901, I, Drew J. Ribar, declare under penalty of perjury this footage accurately
20 depicts Deputy Sean Palamar's tow arrangement and discussion on August 30, 2022.

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22 **Dated: March 27, 2025**

23 **/s/ Drew J. Ribar**

24 **Drew J. Ribar**

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28 PLEADING TITLE - 4